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PTO/SB/18 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | |
|--|------------------------|-----------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No. | 91.001 |
| | First Named Inventor | John M. Lipscomb et al |
| | Title | Cat Litter Scoop Holder and Scoop |
| | Express Mail Label No. | EL647008405US |

| | |
|---|--|
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231 |
| 1. (X) Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing) | 8. () Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |
| 2. (X) Applicant claims small entity status See 37 CFR 1.27 | a. () Computer Readable Form (CRF) |
| 3. (X) Specification [Total Pages 27] (preferred arrangement set forth below, MPEP 1503.01) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claims - Abstract of the Disclosure | b. () Specification Sequence Listing on: i. () CD-ROM or CD-R (2 copies); or ii. () paper |
| 4. (14) Drawing(s) (35 U.S.C. 113) [Total Sheets ____] | c. () Statement verifying identity of above copies |
| 5. Oath or Declaration [Total Pages 2] a. () Newly executed (original or copy) b. () Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 16 completed) i. () <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33 (b). | ACCOMPANYING APPLICATION PARTS |
| 6. () Application Data Sheet. See 37 CFR 1.76 | 9. () Assignment Papers (cover sheet & document(s)) |
| 7. () CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | 10. () 37 CFR 3.73(b) Statement () Power of Attorney (when there is an assignee) |
| | 11. () English Translation Document (if applicable) |
| | 12. () Information Disclosure Statement (IDS)/PTO-1449 () Copies of IDS Citations |
| | 13. () Preliminary Amendment |
| | 14. (X) Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| | 15. () Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| | 16. () Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i) - Applicant must attached form PTO/SB/35 or its equivalent |
| | 17. () Other: _____ |

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

() Continuation () Divisional () Continuation-in-part (CIP) of prior application No: ____ / ____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

| | | | | | |
|---|---------------------------------------|-----------|---|----------|----------------|
| 17. CORRESPONDENCE ADDRESS | | | | | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | | | <input type="checkbox"/> Correspondence address below | | |
| (Insert Customer Number and Bar Code Label here) | | | | | |
| Name | David D. Stein | | | | |
| Address | 250 E. Wisconsin Avenue Suite 1030 | | | | |
| City | Milwaukee | State | WI | Zip Code | 53202 |
| Country | | Telephone | (414) 225-9755 | Fax | (414) 225-9753 |

| | |
|----------------------------------|--|
| Name (Print Type) David D. Stein | Registration No. (Attorney/Agent) 40,828 |
| Signature <i>David D. Stein</i> | Date JUNE 1, 2001 |

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Certificate of Express Mailing

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Christine Kuerzsch 6-1-01
Name Date

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **(\$)** 355.00**Complete if Known**

| | |
|----------------------|------------------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | John M. Lipscomb et al |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 91.001 |

METHOD OF PAYMENT1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:Deposit
Account
Number
Deposit
Account
Name

50-1170

Boyle Fredrickson Newholm Stein & Gratz
S.C.☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status.
See 37 CFR 1.272. ☒ Payment Enclosed:☒ Check ☐ Credit Card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | 355 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) **(\$)** 355**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from Below | Fee Paid |
|--------------------|--------------|-------------------|----------|
| 20 | -20**= | 18 | |
| 3 | -3**= | 80 | |
| Multiple Dependent | | | |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) **(\$)**

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Fee Code | Large Entity Fee (\$) | Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-------------|--------------------------------|-------------|--------------------------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)**SUBMITTED BY**

Name (Print/Type)

David D. Stein

Registration No.
(Attorney/Agent)

40,828

Signature

David D. Stein

Complete (if applicable)

Telephone

(414) 225-9755

Date

JUNE 1, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **John M. Lipscomb, Timothy B. Strandell and Daniel J. DeLay**

For: **CAT LITTER SCOOP HOLDER AND SCOOP**

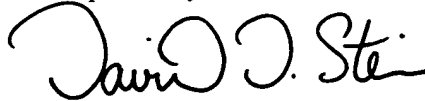
REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

Director of the U.S. Patent
and Trademark Office
Washington, DC 20231

Sir:

I hereby certify that the invention disclosed in the attached *application has not and will not be* the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C 122(b).

Respectfully submitted,



David D. Stein
Registration No. 40,828

Dated: June 1, 2001

BOYLE FREDRICKSON NEWHOLM
STEIN & GRATZ S.C.
250 Plaza, Suite 1030
250 East Wisconsin Avenue
Milwaukee, WI 53202
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Docket No. 91.001

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101090 15372800

EXPRESS MAIL LABEL NO.: **EL647008405US**.

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL in an envelope addressed to:
ASSISTANT COMMISSIONER FOR PATENTS,
BOX PATENT APPLICATION,
WASHINGTON, D.C. 20231 on June 1, 2001.

Christine Kierzek

Printed Name

Christine Kierzek

Signature

6-1-01

Date

CAT LITTER SCOOP HOLDER AND SCOOP

By: **John M. Lipscomb**
Timothy B. Strandell
Daniel J. DeLay

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